

# Senate Study Bill 1039

SENATE/HOUSE FILE \_\_\_\_\_  
BY (PROPOSED ATTORNEY GENERAL  
BILL)

Passed Senate, Date \_\_\_\_\_ Passed House, Date \_\_\_\_\_  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_  
Approved \_\_\_\_\_

## A BILL FOR

1 An Act relating to creation of a substance abuse prevention and  
2 treatment fund, and providing for standing appropriations from  
3 the fund.  
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:  
5 TLSB 1152DP 81  
6 pf/cf/24

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1 1 Section 1. FINDINGS.  
1 2 1. The general assembly finds that, while Iowa remains one  
1 3 of the safest places in the United States with regard to  
1 4 crime, the most prevalent common factor relative to crime in  
1 5 Iowa is substance abuse. Further, the general assembly finds  
1 6 that there is a strong correlation between substance abuse and  
1 7 criminal behavior with as much as eighty percent of the Iowa  
1 8 correctional system population being found to have a substance  
1 9 abuse problem.  
1 10 2. The general assembly further finds that addressing  
1 11 drug-related crimes requires a multifaceted approach which  
1 12 includes prevention, treatment, and prosecution.  
1 13 Specifically, the general assembly finds that large-scale  
1 14 studies consistently demonstrate that treatment is beneficial  
1 15 in both reducing drug use and in significantly reducing the  
1 16 frequency of a range of crimes, including selling or  
1 17 possessing drugs, shoplifting, and assault.  
1 18 3. In addition to resulting in a reduction in crime, the  
1 19 general assembly finds that successful completion of drug  
1 20 treatment may result in significant savings to taxpayers due  
1 21 to the reduced costs of incarceration, the reduced demands on  
1 22 the human services system, and the increased productivity of  
1 23 the recipients of treatment.  
1 24 4. The general assembly also finds that a variety of  
1 25 approaches to substance abuse treatment is necessary to  
1 26 effectively address the individual circumstances of the  
1 27 substance abuser. These approaches may include community=  
1 28 based treatment, institutional treatment in a prison setting,  
1 29 adult and juvenile drug courts, diversion to treatment  
1 30 projects, jail-based treatment programs, and treatment  
1 31 programs for those on probation.  
1 32 5. The general assembly finds that increased funding for  
1 33 substance abuse treatment programs is necessary to provide the  
1 34 expected benefits of decreases in crime rates, the costs of  
1 35 incarceration, and the demands on the human services system,  
2 1 as well as the resultant benefits of increased economic and  
2 2 social productivity of Iowans who participate in substance  
2 3 abuse treatment services.  
2 4 Sec. 2. NEW SECTION. 453A.6A SUBSTANCE ABUSE TREATMENT  
2 5 AND PREVENTION FUND == CREATED == APPROPRIATIONS.  
2 6 1. A substance abuse treatment and prevention fund is  
2 7 created in the office of the treasurer of state. Moneys  
2 8 deposited in the fund shall not be transferred, used,  
2 9 obligated, appropriated, or otherwise encumbered except as  
2 10 provided in this section. Notwithstanding section 8.33, any  
2 11 unexpended balance in the fund at the end of the fiscal year  
2 12 shall be retained in the fund. Notwithstanding section 12C.7,  
2 13 subsection 2, interest or earnings on investments or time  
2 14 deposits of the moneys in the fund shall be credited to the  
2 15 fund.  
2 16 2. Moneys in the fund are appropriated for the following

2 17 purposes for the fiscal year beginning July 1, 2005, and  
2 18 annually thereafter, as follows:  
2 19 a. Five million dollars to the Iowa department of public  
2 20 health for expansion and maintenance of community-based  
2 21 substance abuse treatment programs.  
2 22 b. Two million five hundred thousand dollars to the  
2 23 department of corrections for licensed substance abuse  
2 24 treatment in department of corrections institutions as  
2 25 described pursuant to section 904.102 and community-based  
2 26 correctional programs as defined in section 905.1.  
2 27 c. Three million dollars to the department of corrections  
2 28 for drug court programs for adults and juveniles.  
2 29 d. Two million dollars to the governor's office of drug  
2 30 control policy for jail-based treatment programs.  
2 31 e. Two hundred seventy thousand dollars to the department  
2 32 of human services for substance abuse treatment programs at  
2 33 the state training school.  
2 34 f. One hundred twenty thousand dollars to the department  
2 35 of human services for substance abuse treatment programs at  
3 1 the juvenile home at Toledo.  
3 2 g. One million dollars to the Iowa department of public  
3 3 health for comprehensive substance abuse prevention programs.  
3 4 3. If moneys in the fund are not sufficient to fully fund  
3 5 each of the appropriations specified in subsection 2, the  
3 6 total amount shall be prorated based upon the percentage that  
3 7 the funding for each appropriation represents of the total  
3 8 amount appropriated.

3 9 EXPLANATION

3 10 This bill creates the substance abuse treatment and  
3 11 prevention fund. The bill specifies standing appropriations  
3 12 of the moneys credited to the fund, annually, as follows:  
3 13 1. Five million dollars to the Iowa department of public  
3 14 health for expansion and maintenance of community-based  
3 15 substance abuse treatment programs.  
3 16 2. Two million five hundred thousand dollars to the  
3 17 department of corrections for licensed substance abuse  
3 18 treatment in department of corrections institutions and  
3 19 community-based correctional programs.  
3 20 3. Three million dollars to the department of corrections  
3 21 for drug court programs for adults and juveniles.  
3 22 4. Two million dollars to the governor's office of drug  
3 23 control policy for jail-based treatment programs.  
3 24 5. Two hundred seventy thousand dollars to the department  
3 25 of human services for substance abuse treatment programs at  
3 26 the state training school.  
3 27 6. One hundred twenty thousand dollars to the department  
3 28 of human services for substance abuse treatment programs at  
3 29 the juvenile home at Toledo.  
3 30 7. One million dollars to the Iowa department of public  
3 31 health for comprehensive substance abuse prevention programs.  
3 32 The bill provides that if moneys in the fund are not  
3 33 sufficient to fully fund each appropriation, the total amount  
3 34 is to be prorated based upon the percentage that the funding  
3 35 for the appropriation represents of the total amount

4 1 appropriated.  
4 2 LSB 1152DP 81  
4 3 pf/cf/24